

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. S1-4:20CR0707 AGF SRW
)	
MATTHEW THILGES,)	
)	
Defendant.)	

MOTION FOR CONTINUED PRETRIAL DETENTION

Comes now the United States of America, by and through its Attorneys, Sayler Fleming, United States Attorney for the Eastern District of Missouri, and Colleen C. Lang, Assistant United States Attorney for said District, and moves the Court to order defendant remain detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

Further, the Government asserts:

- 1. Attempted Production of Child Pornography, Title 18, U.S.C. Section 2251(a) and Receipt of Child Pornography, Title 18 U.S.C. Section 2252A(a)(2) are presumption detention charges under Title 18 Section 3142(e)(3)(E).**

Under Title 18 U.S.C., Section 3142(e)(3)(E), subject to rebuttal by the defendant, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community if the judicial officer finds that there is probable cause to believe the person committed – an offense involving a minor victim under section 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(a), 2252(a)(2), 2252(a)(3), 2252A(a)(1) and 2422. The defendant has been charged by complaint with

Attempted Production of Child Pornography and Receipt of Child Pornography, which are both listed under Section 3142(e)(3)(E), and the government does not believe the defense can rebut the presumption for the reasons laid out below in paragraph two.

2. Under Title 18 U.S.C. Section 3142(g) lists the factors for the Judge to consider when considering pre-trial detention. These factors include the defendant's mental condition and the nature and circumstances of the charges:

Under Title 18 U.S.C. Section 3142(g), "the judicial officer shall, in determining whether there are conditions of release that will reasonably assure the appearance of the person as required and the safety of any other person and the community, take into account the available information concerning—

- (1) the nature and circumstances of the offense charged . . .
- (3) the history and characteristics of the person, including--
- (A) the person's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings . . ."

As far as the nature and circumstances of the offense, the defendant was investigated by the FBI after email addresses tied to IP address were posting numerous threats online over a period of time. The threats coming from IP addresses tied to both the defendant's and work include:

- a. July 13, 2020 – Fuck the government. Kill ALL democrats. Start at alphabet/google/youtube. KILL THEM ALL !!!!!
- b. July 13, 2020 – Make the world a better place , shoot a democrat in the face. I have dibs on EVERY alphabet/google/youtube employee. You guys can start wherever you want.

- c. October 1, 2020 – If a cop , ANY cop , shows up at your door WITHOUT a warrant and attempts to KIDNAP you or any member of your family , you are not only entitled to shoot it in the face , you are OBLIGATED to do so as an American Citizen.
- d. October 4, 2020 – No more talk. Just shoot. Shoot to kill. Anywhere and everywhere. I am a staunch vehement conservative libertarian and I have absolutely had enough of government thugs and government bureaucrats. They ALL need to DIE right along with blm , antifa and EVERY member of the communist democrat party of America.
- e. October 6, 2020 – alphabet/google/youtube is a terrorist organization. Every employee must be PUT TO DEATH for sedition , subversion , insurrection , treason and crimes against humanity. The science is settled. KILL THEM ALL and DO IT NOW !
- f. October 6, 2020 – democrat children are easier to shoot than democrat “parents”. They’re not as fast.
- g. October 7, 2020 – If government employees murdered your business , you have the right to murder the government employees. Call me , I will help you do that.
- h. October 13, 2020 – Every single law abiding, tax paying citizen of the state of Michigan now has the legal right to shoot whitmer on sight without hesitation. The charge is treason , verdict is GUILTY.
- i. October 13, 2020 – The harris statement at the 52 second mark grants permission for any and every American citizen to LEGALLY kill any democrat ON SIGHT without hesitation and without remorse.

On October 19, 2020, due to the escalating nature of the threats, a search warrant for the defendant’s home was applied for and granted. The search warrant was executed on October 21, 2020, at the defendant’ home and several computer devices were seized. First, the defendant’s cell

phone was searched and it revealed images of a partially nude minor female child sleeping on the defendant's sofa. The search of the cell phone was paused, while agents requested another search warrant to search the computer devices for child pornography images. The search was resumed and more images of child pornography have been located on the defendant's Acer computer. These images appear to of child pornography received from the internet including:

- 37WDW.jpg: The image depicts a minor female, approximately 5-6 years of age, in a three-picture collage. The minor female is depicted standing in front of the camera wearing fishnet arm stockings, a lacy red and black bra and no pants. Her genitals are clearly visible. The same minor female is then depicted kneeling in front of an adult male, with her mouth open and her tongue in contact with his erect penis. Lastly, the same minor female is depicted laying on top of an adult male in a bed, with his erect penis in her mouth. An adult female sits a computer in the background with her back to them. Said image was created (added) to the device's "downloads" folder on September 28, 2020, and last accessed on October 12, 2020.

The images located of the minor child between the ages of six and eight years old in the defendant's home, include:

- Cross.0_embedded_265.jpg: the image depicts a clothed minor female sleeping on her back with her arms behind her head, on what appears to be a couch. The child's pants are pulled down partially exposing her stomach and pelvic area. A blanket on the child's thighs appears to obstruct the camera view of her genitals, which is the focal point of the image. The minor appears to be between the ages of 6 and 8.

- Cross.0_embedded_152.jpg and Cross.0_embedded_161.jpg: The images depict what appears to be the same minor female, lying on her stomach and sleeping on what appears to be the same couch as the image described above. The child's is wearing different clothes than in the image described above. The child's pants are pulled down, exposing her entire buttocks, which is the focal point of the images.

As to the history and characteristics of the person, the defendant had numerous guns in his house including the following:

- Smith and Wesson M&P assault rifle, S/N JAL3958
- Springfield Armory XD-40 handgun, S/N XD487725
- Smith and Wesson M&P 15-22 assault rifle, S/N JAL7217
- Bushmaster Carbon 15 assault rifle, S/N CRB052097
- Smith and Wesson M&P 15 assault rifle, S/N SU21850
- Bushmaster XM15-E2S assault rifle, S/N BFIT032834
- CXV model CCR15 assault rifle, S/N GTOC011450
- Bushmaster Carbon 15 assault rifle, S/N CBC038817
- Bushmaster Carbon 15 assault rifle, S/N CBC037142
- Tactical Vest with 3 loaded pistol mags and 4 loaded rifle mags
- Two 100-round drum magazines, loaded
- Additional pistol magazines, assault rifle magazines and ammunition

Further, the defendant possessed what the FBI gun lab has determined to be an illegal silencer because the silencer does not have a serial number on it.

WHEREFORE, based on the foregoing reasons, the Government requests this Court to order defendant remain detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER FLEMING
United States Attorney

/s/ Colleen C. Lang
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CERTIFICATE OF SERVICE

I hereby certify that on September 23, 2021, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all counsel of record.

/s/ Colleen C. Lang
COLLEEN C. LANG, #56872MO
Assistant United States Attorney